

On motion of Senator Flanagan, the rules were suspended, bill read third time and passed by the following vote :

YEAS—Senators Ball, Baker, Camp, Culberson, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Morris, Randle, Russell, Shepard, Stirman, Swift and Wood—17.

NAYS—Senators Bradshaw, Bradley, Burton, Craven, Dillard, Davenport, Moore, and Westfall—8.

Senator Dillard offered the following resolution :

Resolved, That the Committee on Public Printing be and are hereby instructed to inquire into and report the reasons why the Public Printer has not furnished the Senate with the number of printed copies of the Governor's message heretofore ordered. Adopted.

On motion of Senator Swift, the Senate adjourned until 10 o'clock A. M. to-morrow.

TWENTY-SECOND DAY.

SENATE CHAMBER,
AUSTIN, February 5, 1875.

Senate met pursuant to adjournment ; roll called : quorum present. Prayer by the Rev. W. H. Crutcher, of Round Rock. Journals of yesterday read and adopted.

A message was received from the Governor.

Senator Westfall, Chairman Committee on Education, submitted the following reports :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Education, to whom was referred the petition of the citizens of Kilgore and vicinity, in Gregg county, "Asking the incorporation of the 'Alexander Institute,' located at said place, and the prohibition of the sale of liquors within two miles of said institute," have considered the same and instruct me to report it back to your honorable body, with the accompanying bill, and recommend its passage.

W. H. WESTFALL, Chairman,

The title of the bill referred to is "An act to incorporate the Alexander Institute, located at Kilgore, in Gregg

county, and to prohibit the sale of spirituous liquors within two miles of said institute."

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Education, to whom was referred Senate bill No. 570, "An act authorizing the cities of Texas to maintain public schools," having carefully considered the same, instruct me to report said bill back to your honorable body, with the recommendation that it do not pass.

W. H. WESTFALL, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Education, to whom was referred Senate bill No. 576, "An act to amend an act entitled 'an act to establish and maintain a system of public free schools in the State of Texas,' " passed April 30, 1873, and an act amendatory of the above, approved May 2, 1874, having considered the same, instruct me to report said bill back to your honorable body with the recommendation that it do pass, with the accompanying amendment :

Strike out all of seventh section after the word "deficiency" in thirty-first line.

W. H. WESTFALL, Chairman.

Senator Davenport, Chairman Committee on Public Printing, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Public Printing, to whom was referred a resolution "To enquire into and report the reasons why the public printer has not furnished the Senate with the number of printed copies of the Governor's message heretofore ordered," have been informed by the printer that the remaining six thousand copies will be furnished on Monday next, and the reasons for such delay was owing to previous engagements and press of work in the hands of the binder.

J. H. DAVENPORT, Chairman.

Senator Stirman, Chairman Committee on State Affairs, submitted the following reports :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on State Affairs, to whom was referred Senate bill No. 605, "An act to regulate the hours of business in the several departments of the State govern-

ment," having carefully considered the same, instruct me to report said bill back to your honorable body, with the recommendation that it do pass.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs, to whom was referred Senate bill No. 562, "An act to exempt the old Alamo Church," having carefully considered the same, instruct me to report said bill back to your honorable body, and recommend its passage.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs, to whom was referred House bill No. 580, "An act to authorize the Governor to employ a suitable detective to ferret out frauds in land claims against the State, and to make an appropriation to carry the same into effect," have carefully considered the same, and instruct me to report said bill back to your honorable body, and recommend its passage.

W. B. STIRMAN, Chairman.

Senator Russell submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your select committee on border affairs, to whom was referred Senate joint resolution, "Proposing to the United States, that Texas defend her own frontier," and House joint resolution No. 48, "Memorializing the President and Congress to increase the military force now on the Rio Grande, and to refund to Texas the money necessarily expended in defending the frontier," also substitute for the last resolution by House Committee on Federal Relations, have carefully considered the same, and instruct me to report the accompanying joint resolution, as a substitute for the aforesaid several resolutions, with the recommendation that it do pass.

W. H. RUSSELL,

Chairman, Senate Committee.

Senator Westfall introduced a joint resolution "concerning the vacant lands in Fisher and Miller's colony." Read first time and referred to Committee on Public Lands.

Senator Westfall introduced a bill entitled "An act to incorporate the Capital City Bridge Company." Read first time and referred to Committee on Internal Improvements.

Senator Hobby introduced a bill entitled "an act attaching a portion of Trinity county to Polk county." Read first time and referred to Committee on Counties and County Boundaries.

Senator Craven introduced a bill entitled "An act for the relief of J. A. Carroll." Read first time and referred to Judiciary Committee.

The following communication was received from His Excellency, and ordered spread on the journals.

EXECUTIVE OFFICE, STATE OF TEXAS,)
AUSTIN, February 4th, 1875.)

Hon. R. B. Hubbard, President of the Senate:

SIR—I have the honor to hand you herewith the captions of all bills and joint resolutions passed by the Legislature, and approved by me since January 28th, 1875.

Very respectfully,

RICHARD COKE.

Senate bill No. 494, "An act making an appropriation to pay F. Voigt, custodian of the public halls of the Capitol, the public library, Capitol grounds and State cemetery;" approved January 28th, 1875.

House bill No. 570, "An act to authorize the town of Waxahachie to aid in the construction of the Waxahachie Tap Railroad;" approved January 28th, 1875.

Senate bill No. 513, "An act validating the official acts of James W. Bennett, as sheriff of Lavaca county, and providing for the execution of his bond as sheriff of said county;" approved January 28th, 1875.

House bill No. 538, "An act to amend an act to amend the tenth section of an act entitled 'an act prescribing the times of holding the district courts in the several judicial districts in the State;'" approved August 10th, 1870; approved April 29th, 1874; approved January 28th, 1875.

Senate bill No. 468, "An act to amend an act entitled 'an act to incorporate the Beaumont, Corsicana and Fort Worth Railroad Company;'" approved January 28th, 1875.

House bill No. 674, "An act requiring the records of the county of Montgomery to be returned to the town of Montgomery, and the district and county courts to be holden there during the pendency of the controversy about the county site of said county;" approved January 29th, 1875.

House bill No. 563, "An act to incorporate the Corsicana and Palestine Railroad Company, and aid in constructing the same by granting lands thereto;" approved January 29th, 1875.

Senate joint resolution No. 560, "Joint resolution ratifying the contract made by the Printing Board with John D. Elliott, to do the current printing ordered by the Senate, and also by the House of Representatives of the Fourteenth Legislature;" approved February 2d, 1875.

Senate bill No. 445, "An act to repeal an act entitled 'an act to release certain taxes to the residents of the counties of Montague, Wise, Parker, Hood, Erath, Hamilton, Lampasas, Burnet, Blanco, Kendall, Bandera, Medina, Frio, McMullen, Duval, Starr and all the counties lying west and southwest of the same,'" passed April 30th, 1873; approved February 2nd, 1875.

House bill No. 641, "An act concerning the Gulf, Western Texas and Pacific Railway Company;" approved February 2nd, 1875.

House bill No. 573, "An act to prohibit the sale or otherwise disposing of intoxicating or spirituous liquors, within two miles of the town of Buena Vista, in Shelby county, and Lavernia, in Wilson county;" approved February 2nd, 1875.

House bill No. 634, "An act to incorporate the Galveston, Brazos and Colorado Narrow Gauge Railway Company;" approved February 2nd, 1875.

House bill No. 631, "An act supplemental to 'an act to create and provide for the organization of Tom Green county,'" approved March 13th, 1874; approved February 3rd, 1875.

House bill No. 423, "An act concerning the corporation of the town of Lockhart, in Caldwell county, Texas;" approved February 3rd, 1875.

Senator Shepard, for Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 453, "An act to amend section eight of 'an act to authorize the county court of Lamar county to contract for the building of a courthouse and jail in said county, and to issue and sell

the bonds of the county for that purpose,''' passed April 28th, 1873, and find the same correctly engrossed.

SETH SHEPARD, for Committee.

Senator Dwyer, for Committee on Enrolled Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled Senate bill No. 524, "An act to amend section eight of an act entitled 'an act to incorporate the Gulf, Colorado and Santa Fe Railway Company,'" and have this 5th day of February, 1875, at 11 o'clock A. M., presented the same to the Governor for his approval.

JOS. E. DWYER, for Committee.

On motion of Senator Camp, the rules were suspended and substitute for Senate bill No. 456, "An act to establish a Criminal Court in and for the cities of Jefferson, in Marion county, Marshall, in Harrison county, Tyler, in Smith county, and Palestine, in Anderson county, and defining the powers thereof," was taken up, read second time and ordered engrossed.

On motion of Senator Flanagan, the rules were further suspended, bill read third time and passed.

On motion of Senator Wood, the rules were suspended and House bill No. 537, "An act making an appropriation to complete the buildings and enclosures of the Agricultural and Mechanical College of Texas," was taken up, read second time and passed to third reading.

Senator Dillard moved to refer the bill to Finance Committee. Lost.

On motion of Senator Wood, the rules were further suspended, bill read third time and passed by the following vote :

YEAS—Senators Ball, Baker, Bradley, Burton, Camp, Craven, Dwyer, Erath, Flanagan, Friend, Moore, Parker, Randle, Russell, Shepard and Wood—16.

NAYS—Senators Bradshaw, Dillard, Davenport, Ellis, Hobby, Morris, Stirman, Swift and Westfall—9.

On motion of Senator Wood, the rules were suspended and Senate bill No. 455, "An act supplemental to 'an act to establish and maintain a system of public free schools in the State of Texas,'" passed April 30, 1873; and sub-

stitute therefor, entitled "an act supplemental to 'an act to establish and maintain a system of public free schools in the State of Texas,'" passed April 30, 1873, were taken up.

Substitute read first time and adopted.

Rules suspended, substitute read second time and ordered engrossed.

On motion of Senator Westfall, the rules were further suspended, bill read third time and passed.

House concurrent resolution "for the appointment of a joint committee to consider the public debt of Texas," was adopted.

The President appointed on said joint committee Senators Wood, Hobby and Bradley.

Senator Westfall withdrew his motion to reconsider the the vote by which the Senate concurred in House amendments to Senate bill No. 524, "An act amend section eight of an act entitled 'an act to incorporate the Gulf, Colorado and Santa Fe Rail Road Company, and to grant land in aid of the construction of the same,'" passed May 2, 1873.

House bill, No. 745, "An act making provisions for the purchase and safe keeping of a library of moral and useful books, for the use and improvement of the convicts confined in the State penitentiary," was taken up and read first time.

Senate bill, No. 369, "An act for the relief of the heirs of Sylvester Bowen," was taken up and read second time. pending a report from Judiciary Committee that said bill do not pass.

The report of the committee was adopted and bill lost.

Senate bill No. 457, "An act to repeal sections thirty and thirty-one of 'an act to organize the courts of justices of the peace and county courts, and to define their jurisdiction and duties,'" approved August 13, 1870, and to re-enact the repealed sections of the above recited act, was taken up, read third time, and on motion of Senator Westfall, was postponed for the present.

Senate bill No. 448, "An act to provide for the public printing," was taken up.

On motion of Senator Shepard, the bill was ordered to lie on the table.

Senate bill No. 455, "An act to provide for the proper disbursement of money raised for the purpose of building school houses under the provisions of section twenty-third of an act entitled 'an act to establish and maintain a system

of public free schools in the State of Texas," passed April 30, 1873, was taken up, read second time and ordered engrossed.

On motion of Senator Wood, the rules were further suspended, bill read third time and passed.

Senate joint resolution No. 471, "Relative to the International Railroad bonds," was taken up, and read second time, pending a report from the Judiciary Committee, that said joint resolution do not pass.

Senator Bradshaw moved to lay the report of the committee on the table. Lost by the following vote:

YEAS—Senators Ball, Bradshaw, Bradley, Craven, Dillard, Davenport, Erath, Hobby, Parker and Wood—10.

NAYS—Senators Camp, Dwyer, Ellis, Flanagan, Friend, Morris, Moore, Randle Russe, Stirman and Westfall—11.

On motion of Senator Ellis, the report of the committee was adopted, and the joint resolution was lost.

Senate bill No. 476, "An act to exempt H. C. Loudon, from the payment of taxes," and also, substitute therefor, entitled "An act to exempt Jessie B. Murphy and H. C. Loudon from the payment of taxes," was taken up. Substitute read first time and adopted.

On motion of Senator Shepard, the rules were suspended and substitute read second time.

Senator Shepard moved to amend by adding the name of "James P. Ferrell," in the body and caption of the bill. Adopted.

Senator Wood offered the following amendment:

"*Provided*, that all the taxpayers of Leon county shall be exempted." Lost.

Senator Ellis offered the following amendment:

"*Provided*, That all the indigent cripples in the State of Texas shall be exempted from the payment of an occupation tax." Lost.

Senator Shepard offered the following amendment:

"*Provided*, that the business carried on under this act, shall belong wholly to the person claiming or receiving the exemption." Adopted.

Senator Ellis offered the following amendment:

"Add the name of Frank Hubbliss, of Lavaca county, to the caption and body of the bill." Adopted.

The question then recurring on the engrossment of the bill, the Senate refused to engross it.

Senate bill No. 478, "An act to provide for the removal of county seats," was taken up, and read second time.

On motion of Senator Friend, the bill was ordered to lie on the table.

On motion of Senator Stirman, the rules were suspended and House bill No. 218, "An act to amend the seventh, eighth and ninth sections of an act entitled 'an act to protect the farming interests of the State,'" passed May 16, 1873, was taken up, read first time and referred to Committee on Agriculture.

On motion of Senator Wood, the rules were suspended, and House bill No. 586, "An act to amend section one of 'an act to punish unlawful interference with private property or private rights,'" approved May 28, 1864, was taken up, read second time and ordered engrossed.

On motion of Senator Wood, the rules were further suspended, bill read third time and passed.

A message was received from the House, announcing the passage of Senate bill No. 293, "An act to authorize the Commissioner of the General Land Office to issue patents to the following leagues of land located in the State, between the 13th day of November, and the first day of December, 1835, and to validate the same."

Senate bill No. 509, "An act to amend an act entitled 'an act regulating elections,'" approved March 31, 1873, was taken up.

On motion of Senator Camp, the bill was ordered to lie on the table.

Senator Shepard, for Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 566, "An act to encourage the construction of canals and ditches for navigation and irrigation," and find the same correctly engrossed.

SETH SHEPARD, for Committee.

On motion of Senator Shepard, the rules were suspended and Senate bill No. 559, "An act for the relief of the county of Lee, and to remit certain State taxes to said county," was taken up and read second time.

The question being on the engrossment of the bill, the Senate refused to engross it.

On motion of Senator Parker, the message of His Excellency, received this morning, was taken up and read :

The message was follows :

EXECUTIVE OFFICE, STATE OF TEXAS,)
AUSTIN, February 4, 1875.)

To the Honorable Senate of the State of Texas :

GENTLEMEN :—I respectfully ask your advice and consent to the following appointments, to-wit :

E. L. Winsor, to be notary public, Aransas county ; Sam Allen, to be notary public, Aransas county ; Wm. Upshaw, to be notary public, Bell county ; L. H. Coon, vice S. H. Coon, to be notary public, Bosque county ; T. C. Greenwood, to be notary public, Caldwell county ; R. T. Childs, to be notary public, Comanche county ; Robt. A. Jeffress, to be notary public, Comanche county ; L. C. Barrett, to be notary public, Clay county ; Wm. L. Blanton, to be notary public, Clay county ; Wallace M. Peak, vice John Henry Brown, to be notary public, Dallas county ; F. D. Steward, vice B. L. Royse, declined to be notary public, Fannin county ; Thos. H. Spooner, vice M. V. Collins, removed from the county, to be notary public, Gonzales county ; J. M. Cook, vice M. V. B. Bennett, removed from the county, to be notary public, Grayson county ; L. K. Billingsly, to be notary public, Hamilton county ; A. W. Spencer, to be notary public, Harris county ; J. M. Abbott, to be notary public, Hill county ; J. H. Reed, to be notary public, Hood county ; J. W. Sanders, vice J. H. Sanders, L. D. Scarborough, W. H. Ford, to be notaries public, Jasper county ; J. T. Ayres, vice T. J. Ayres, to be notary public, Kaufman county ; Henry C. King, to be notary public, Kendall county ; W. M. Burns, vice W. K. Burns, to be notary public, Lee county ; G. D. Robinson, to be notary public, Leon county ; John J. Kimbrough, to be notary public, Milam county ; D. B. Hartzell, to be notary public, Navarro county ; F. M. Smith, to be notary public, Red River county ; S. B. Mellough, W. T. Neal, to be notaries public, Robertson county ; C. K. Stribling, to be notary public, Shackelford county ; Thos. H. Hall, to be notary public, Smith county ; Jesse Jones, to be notary public, Tarrant county.

I respectfully withdraw the name of A. V. Shropshire as notary public for Hood county.

Very respectfully,

RICHARD COKE.

On motion of Senator Westfall, the Senate went into Executive session.

IN SENATE.

The Secretary was instructed to inform His Excellency, the Governor, that the Senate does advise and consent to the nominations herein made, with the exception of Jesse Jones, of Tarrant county, whose name was left off for future action; and consented to the withdrawal of the name of A. V. Shropshire, of Hood county.

On motion of Senator Shepard, the veto message of the Governor, on Senate bill No. 345, "An act defining the offenses of non-feasance, mis-feasance and mal-feasance in office, and providing penalties therefor," was referred to Judiciary Committee.

On motion of Senator Erath, the Senate adjourned until 10 o'clock A. M. to-morrow.

TWENTY-THIRD DAY.

SENATE CHAMBER,
AUSTIN, February 6, 1875.

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by Rev. A. G. Stacy, of Austin. Journal of yesterday was read and adopted.

A message was received from the House, announcing the passage of the following bills:

Senate bill No. 569, "An act prescribing the times of holding the district courts in the Sixth Judicial District, and repealing all laws in relation thereto."

Senate bill 554, "An act to enable the citizens of the town of Ledbetter to reorganize their municipal government."

Senate bill No. 546, "An act regulating the times of holding the district court in the Twenty-fourth Judicial District."

Senate bill No. 525½, "An act to provide for the proper auditing of the accounts of the Public Printer in certain cases."

Also, the passage of House bill No. 592, "An act concerning proceedings in district courts."